

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BETHPAGE WATER DISTRICT,

Index No.: 2:13-CV-06362-SJF-AYS

Plaintiff,

v.

NORTHROP GRUMMAN
CORPORATION and NORTHROP
GRUMMAN SYSTEMS
CORPORATION

Defendants.
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**DECLARATION OF RICHARD W. HUMANN IN SUPPORT OF PLAINTIFF'S
OBJECTIONS TO MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

I, Richard W. Humann, declare under penalty of perjury under the laws of the United States as follows:

1. I am President and Chief Executive Officer of H2M Engineers + Architects ("H2M"), consultants for Plaintiff Bethpage Water District ("BWD"), and maintain my office at 538 Broad Hollow Road, Melville, NY 11747.

2. I make this declaration based on my personal knowledge, my experience as a consultant on behalf of BWD, my experience and knowledge of BWD's supply wells and its operations and my review and knowledge of the files maintained by my office and the office of counsel for BWD.

3. I make this declaration in support of Plaintiff BWD's objections to the Magistrate Judge's Report and Recommendation.

4. By email dated February 5, 2016, Jim Harrington of the New York State Department of Environmental Conservation ("NYSDEC") provided new information to BWD following its own radiological sampling program performed during the fourth quarter of 2015.

5. Included in the information were data spreadsheets and maps that summarized the sampling locations and the results of the combined radium sampling. See Ex. 1 attached.

6. Of all the sampling performed by the NYSDEC at approximately 39 locations, the most significant combined radium 226 + 228 concentration was found at the GM-15 location on the former Northrop Grumman property at 8.59 pCi/L.

7. Not only does this concentration far exceed the MCL of 5.0 PCi/L, but it is more than double any combined radium concentration found in the remaining sampling, except for BWD's Plant 4.

8. Further, in reviewing the locations of the most elevated combined radium concentrations found to date, the highest concentrations are found directly south-southeast of the GM-15 location (which is the direction of regional groundwater flow) at Well No. 4-1 of 5.55 pCi/L, Well No. RW2-MW1 at 6.80 pCi/L and RW3-MW4 at 4.98 pCi/L.

9. From a statistical perspective, the 8.59 pCi/l found at the GM-15 location on Northrop Grumman's property is approximately 5 times the mean of all samples taken in the program, which clearly indicates that the contamination concentration is not background but rather the indication of the Northrop Grumman property being the source of the radium contamination.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 14th day of March, 2016

/s/ Richard W. Humann
Richard W. Humann

Certificate Of Service

I hereby certify that on March 14, 2016 a true and accurate copy of the foregoing
*Declaration Of Richard W. Humann In Support of Objections to Magistrate Judge's Report and
Recommendation* was served via ECF filing and email on the following:

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/s/ Curt D. Marshall
Curt D. Marshall